

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

STEPHEN R. HERBEL, B. CRAIG  
WEBB, AND JERRY WEBB

v.

ALLEN, GIBBS & HOULIK, L.C.

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CIVIL ACTION NO. \_\_\_\_\_

**DEFENDANT ALLEN, GIBBS & HOULIK, L.C.'S NOTICE OF REMOVAL**

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendant Allen, Gibbs & Houlik, L.C. ("Defendant") files this Notice of Removal of this Civil Action to the United States District Court for the Northern District of Texas, Dallas Division. In support of this Notice of Removal, Defendant respectfully shows the Court as follows:

1. On February 26, 2020, Plaintiffs Stephen R. Herbel, B. Craig Webb, and Jerry Webb filed their Original Petition in Cause No. DC-20-03190; *Stephen R. Herbel, B. Craig Webb, and Jerry Webb v. Allen, Gibbs & Houlik, L.C.*; In the G-134<sup>th</sup> Judicial District Court of Dallas County, Texas. Defendant received a copy of Plaintiff's Original Petition on February 27, 2020. Therefore, this Notice of Removal is timely under 28 U.S.C. §1446(b). The undersigned counsel represents Defendant who consents and joins in this Notice of Removal pursuant to 28 U.S.C. §1446(b)(2)(A).

2. Attached as Exhibit A, is a list of all counsel of record.

3. This case is removable under 28 U.S.C. §1441, and the Court has jurisdiction over this matter because the suit involves a controversy between citizens of different states.<sup>1</sup>

4. There is complete diversity between the parties. At the time of filing of this action, and at the time of removal, Plaintiff Stephen R. Herbel is a citizen of the state of Louisiana, Plaintiff B. Craig Webb is a citizen of the state of Louisiana, and Plaintiff Jerry Webb is a citizen of the state of Louisiana. Defendant is a citizen of the state of Kansas.<sup>2</sup>

5. Plaintiffs have alleged monetary damages of over \$1,000,000.00.

6. Defendant will provide this Notice of Removal to Plaintiffs by service of a copy upon their counsel of record in accordance with 28 U.S.C. §1446(d). Further, a copy of this Notice of Removal will be filed with the District Court of Dallas County, Texas in accordance with 28 U.S.C. §1446(d).

7. Therefore, Defendant prays that this cause be removed from the G-134<sup>th</sup> Judicial District Court of Dallas County, Texas to this Court and for all other relief to which Defendant may be entitled.

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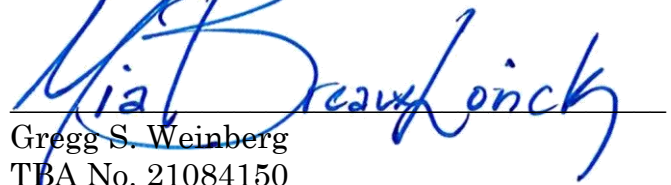
<sup>1</sup> See 28 U.S.C. §§ 1332 and 1441.

<sup>2</sup> See Plaintiffs' Original Petition, attached as Exhibit B.

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Respectfully submitted,

Roberts Markel Weinberg Butler Hailey, PC



Gregg S. Weinberg

TBA No. 21084150

Mia B. Lorick

TBA No. 24091415

2800 Post Oak Blvd., Floor 57

Houston, Texas 77056

Phone: 713-840-1666

gweinberg@rmwbh.com

mlorick@rmwbh.com

ATTORNEYS FOR DEFENDANTS

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing instrument has been served upon the following counsel of record pursuant to the Texas Rules of Civil Procedure on 13<sup>th</sup> day of March 2020.

**Via E-Service:**

Jeffrey M. Tillotson  
Jonathan R. Patton  
Joseph A. Irrobali  
TILLOTSON LAW  
1807 Ross Avenue, Suite 325  
Dallas, Texas 75201  
Telephone: 214-382-3041  
jtillotson@tillotsonlaw.com  
jpatton@tillotsonlaw.com  
airrobali@tillotsonlaw.com  
ATTORNEYS FOR PLAINTIFF



Mia Lorick